

Appl. No. 10/016,984
Amdt. Dated 11/12/2004
Reply to Final Office action of 9/17/2004

REMARKS

The examiner rejected the pending claims under 35 U.S. C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. In regard to base claim 7, the examiner stated confusion as to whether "the instrument" in lines 11, 12-13 and 14 refer to the "surgical instrument" recited in the preamble or to the "instrument" referred to in line 2 of claim 7. Applicant respectfully amends claims 7-11, 22, 29 and 30, so that the preamble recites "surgical device" clarifying that "the instrument" refers to "an instrument" recited in line 2. Additionally, Applicant respectfully amends "the instrument body" to "the body" to more clearly and consistently recite the claimed element.

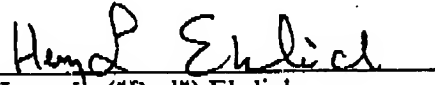
In regard to claims 29 and 30 the examiner asserts that the "threads" have already been "defined in claim 1." Applicant respectfully disagrees. Claims 29 and 30 further define the locking means recited in claim 7 and thus do not result in a double recitation of the same element. Applicant further submits that the specification identifies several locking means, such as, but not limited to, the locking means disclosed on page 8 starting at line 16.

All of the pending issues presented by the examiner have been addressed. Applicant respectfully submits that the application is in condition for allowance and requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,
WINSTEAD SECHREST & MINICK P.C.

November 12, 2004
DATE

Correspondence Address:
Winstead Sechrest & Minick P.C.
P.O. Box 50784
Dallas, Texas 75201


Henry D. ("Bud") Ehrlich
Reg. No.: 39,663
Phone No.: 713-650-2778
Fax No.: 713-650-2400

Houston 117589091
21917-P003US 11/12/2004

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